

Article - Local Government

[\[Previous\]](#)[\[Next\]](#)

§21-212.

(a) After a project for a district has been completed, either wholly or partly, the district council shall impose a benefit charge on all real property in the district benefiting from the project.

(b) (1) Before imposing the benefit charge, the district council shall notify each owner of real property in the district that the district council is proposing to make an assessment of benefit against the owner's property for the project.

(2) The notice shall state the date and place of the hearing.

(3) A hearing notice shall be:

(i) mailed to the last known address of each property owner in the district; and

(ii) published once each week for 2 successive weeks in a newspaper of general circulation in the county.

(c) After holding a hearing under subsection (b) of this section, the district council shall:

(1) determine the extent of the benefit from the project to each lot and parcel of land in the district; and

(2) impose the benefit charge on each lot and parcel of land in the district based on the determinations made under item (1) of this subsection.

(d) (1) A benefit charge imposed under this section is a lien on the real property against which the benefit charge is imposed.

(2) The benefit charge shall be paid:

(i) annually as county taxes are required to be paid; and

(ii) for a period that is coextensive with the period of maturity for the bonds, notes, or other evidence of indebtedness issued to construct the project.

(e) (1) This subsection applies only in:

- (i) Carroll County;
- (ii) Dorchester County;
- (iii) St. Mary's County; and
- (iv) Somerset County.

(2) The annual benefit charge imposed under this section is payable in annual installments over 25 years or any shorter time as directed by the governing body of the county.

(3) Each annual installment is a personal obligation of the owner of the benefited property at the time the installment becomes due.

(4) (i) 1. An annual installment in default is a first lien on the benefited property, subject only to prior State, county, or municipal real property taxes.

2. The outstanding balance of a benefit charge shall be given normal lien priority.

(ii) The sale of a benefited property does not extinguish the lien imposed against the property.

(iii) The purchaser of a benefited property shall:

1. take ownership of the property subject to any outstanding balance of the total benefit charge unpaid at the conclusion of the sale; and

2. be required to pay the same annual installments as the previous owner of the property.

(iv) For purposes of § 3–104(b) of the Real Property Article, relating to the payment of taxes as a prerequisite to recording a transfer of property, it is sufficient that all current annual installments of any benefit charge imposed under this subtitle have been paid.

[\[Previous\]](#)[\[Next\]](#)